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ULTA SALON, COSMETICS & FRAGRANCE,
INC.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CAROLYN MANICK, an individual,
Plaintiff,

v.

ULTA SALON, COSMETICS &
FRAGRANCE, INC., a Delaware
corporation and DOES 1-30, inclusive,
Defendant.

Case No. 2:22-cv-00765-MCE-JDP

**JOINT STIPULATION TO MODIFY
SCHEDULING ORDER AND ORDER**

1 Plaintiff CAROLYN MANICK (“Plaintiff”) and Defendant ULTA SALON, COSMETICS &
2 FRAGRANCE, INC. (“Defendant”) (collectively, the “Parties”), by and through their respective
3 counsel of record, hereby agree and respectfully stipulate as follows:

4 WHEREAS, on May 6, 2022, the Honorable Morrison C. England, Jr. issued an Initial
5 Pretrial Scheduling Order [Dkt 2];

6 WHEREAS the parties have exchanged written discovery and document productions;

7 WHEREAS the parties still need to depose pertinent witnesses;

8 WHEREAS during the course of the initial discovery process, the Parties met and conferred
9 regarding mediation and settlement, and agreed to submit to the Voluntary Dispute Resolution
10 Program pursuant to Local Rule 271;

11 WHEREAS, on March 16, 2023, the parties filed a Stipulation and Order to Elect Referral of
12 Action to Voluntary Dispute Resolution Program (VDRP) Pursuant to Local Rule 271 [Dkt 7];

13 WHEREAS, on March 28, 2023, the Honorable Morrison C. England, Jr. ordered this matter
14 to the Voluntary Dispute Resolution Program [Dkt 10];

15 WHEREAS, as of the date of this stipulation, no date has been set for mediation or settlement
16 discussion through the Voluntary Dispute Resolution Program;

17 WHEREAS, the parties are in agreement that under the circumstances, the parties would
18 benefit from an extension of the Fact Discovery Cutoff and Motions Deadline in the event that a
19 resolution is not reached through the Voluntary Dispute Resolution Program. This additional time
20 will allow the parties to attempt to resolve the case without incurring additional discovery costs and
21 engaging in motion practice.

22 WHEREAS, no other continuance has been requested or granted in this matter;

23 NOW THEREFORE, Plaintiff and Defendant, by and through their respective counsel
24 identified below, hereby stipulate and jointly seek an order from the Court extending the discovery
25 cut-off date and all dates set forth in the Scheduling Order Regulating Discovery and Other Pre-Trial
26 Proceedings by at least three (3) months to allow the parties to participate in the Voluntary Dispute
27 Resolution Program.
28

1 THEREFORE, upon good cause shown, the Parties stipulate to modify the Scheduling Order
2 as follows:

3 **Current Scheduling Order Dates:**

4 05/12/23 – Non-expert discovery completion date

5 07/11/23 – Last day to designate in writing, and serve upon all other parties the name,
6 address, and area of expertise of each expert that they propose to tender at trial

7 08/10/23 – Last day to designate a supplemental list of expert witnesses who will express an
8 opinion on a subject covered by an expert designated by an adverse party

9 09/11/23 – Last day to file Joint Notice of Trial Readiness if the Parties do not intend to file
10 dispositive motions.

11 11/08/23 – Last day to file dispositive motions.

12 **Proposed New Dates:**

13 08/10/23 – Non-expert discovery completion date

14 10/09/23 – Last day to designate in writing, and serve upon all other parties the name,
15 address, and area of expertise of each expert that they propose to tender at trial

16 11/08/23 – Last day to designate a supplemental list of expert witnesses who will express an
17 opinion on a subject covered by an expert designated by an adverse party

18 12/11/23 – Last day to file Joint Notice of Trial Readiness if the Parties do not intend to file
19 dispositive motions.

20 02/06/24 – Last day to file dispositive motions.

21 **IT IS SO STIPULATED.**

22
23 DATED: April 3, 2023

JML LAW, A Professional Law Corporation

24
25 By: /s/ Shahla Jalil-Valles (Approved 04/04/2023)

26 ERIC M. GRUZEN
27 SHAHLA JALIL-VALLES
28 Attorney for Plaintiff

1 DATED: April 3, 2023

LITTLER MENDELSON, P.C.

4 By: /s/ Barbara A. Blackburn

5 BARBARA A. BLACKBURN
6 NATHANIEL H. JENKINS
7 ALAN M. RIVERA
8 Attorney for Defendant

8 **ORDER**

9 Pursuant to the above Stipulation, the Scheduling Order is hereby modified as follows:

10 8/10/23 – Non-expert discovery completion date.

11 10/09/23 – Last day to designate in writing, and serve upon all other parties the name,
12 address, and area of expertise of each expert that they propose to tender at trial.

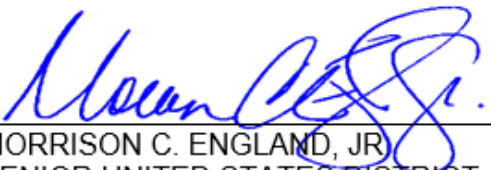
13 11/08/23 – Last day to designate a supplemental list of expert witnesses who will express an
14 opinion on a subject covered by an expert designated by an adverse party.

15 12/11/23 – Last day to file Joint Notice of Trial Readiness if the Parties do not intend to file
16 dispositive motions.

17 2/06/24 – Last day to file dispositive motions.

18
19 IT IS SO ORDERED.

20
21 Dated: April 5, 2023

22 
23 MORRISON C. ENGLAND, JR.
24 SENIOR UNITED STATES DISTRICT JUDGE
25
26
27
28